

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SMT JUSTICE T.MEENA KUMARI

WRIT PETITION NO : 16688 of 1994

Between:

**Smt.Meeniga Rosamma, W/o. Late Ranga Reddy.
Yellupalli (P), Giddalur Mandal,
Prakasam.**

..... PETITIONER

AND

- 1 The Revenue Divisional Officer, Markapur,
Prakasam.**
- 2 The Mandal Revenue Officer, Giddalur,
Prakasam.**

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue rule nisi calling for all the records leading up to and inclusive of Rc.G/4221/84, dated 27/04/1994 issued by the 1st respondent herein and quash the same as being illegal and arbitrary by issuing a Writ, order or direction particularly one in the nature of Writ of Certiorari and pass such other orders.

Counsel for the Petitioner: MR.SYED SHAREEF AHMED

Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court made the following Order:

THE HON'BLE SMT. JUSTICE T.MEENA KUMARI

WRIT PETITION NO.16688 OF 1994

ORDER:

This Writ Petition has been filed seeking a direction to call for the connected records including the notice of the first respondent in Rc.No.G/4221/84 dt.27.4.1994 and quash the same as illegal, improper, unjust, arbitrary and contrary to law.

The case of the petitioner is that she is the owner and possessor of land to an extent of Ac.16.74 cents and the said land was declared as surplus under the AP Land Reforms (Ceiling on Agricultural Holdings) Act, 1973. On remand, the first respondent by proceedings dated 14.9.1979 declared the said holding as non-surplus and directed to be reverted to her on re-payment of compensation. Accordingly, the said amount was paid vide challan no.240 dated 19.2.1981. Later, the first respondent issued the impugned notice stating that it is not possible to re-deliver the possession and she is only entitled for compensation. To that notice, the petitioner submitted reply on 3.5.1994. As no action has been taken to redeliver the land, the petitioner filed the present writ petition.

Heard both sides.

From the above facts, it is clear that in spite of the reply submitted by the petitioner on 3.5.1994, no action has been taken to redeliver the land to the petitioner. In view of the fact that the petitioner has submitted reply very long back and taking into consideration of the assertion made in the writ affidavit that she is in continuous possession of the land in question, in the interest of justice, it would suffice, if a direction is issued to the petitioner to submit fresh reply to the notice of the first respondent in proceedings in Rc.No.G/4221/84 dated 27.4.1994 within a period of eight weeks from the date of receipt of a copy of this order. On receipt of such reply, the respondents are directed to dispose of the same in accordance with law. Till such time, the interim orders granted by this Court shall continue and the respondents are also directed not to take coercive steps in pursuance to the proceedings dt.27.4.1994.

With the above observations, this Writ petition is disposed of. No costs.

Mhn 8.7.2004

To

**1 The Revenue Divisional Officer, Markapur,
Prakasam.**

**2 The Mandal Revenue Officer, Giddalur,
Prakasam.**

3. Two CCs to GP for Land Acquisition, High Court buildings, High Court of
A.P.,Hyderabad.

4. Two CD copies.